

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No.: ICC-01/14-01/21**

**Date: 21 July 2022**

**TRIAL CHAMBER VI**

**Before: Judge Miatta Maria Samba, Presiding Judge  
Judge María del Socorro Flores Liera  
Judge Sergio Gerardo Ugalde Godínez**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II  
IN THE CASE OF  
*THE PROSECUTOR v. MAHAMAT SAID ABDEL KANI***

**Public**

**Decision on the Defence's Request for Leave to Appeal the 'Decision on the  
Defence's Request for an Extension of Time to File Motions Pursuant to Rule  
134 of the Rules and Submit its Trial Brief'**

Decision to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

**The Office of the Prosecutor**

Mr Karim A. A. Khan  
Mr Mame Mandiaye Niang

**Counsel for the Defence**

Ms Jennifer Naouri  
Mr Dov Jacobs

**Legal Representatives of Victims**

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
for Participation/Reparations**

**The Office of Public Counsel  
for Victims**

Ms Sarah Pellet  
Mr Tars Van Litsenborgh

**The Office of Public Counsel  
for the Defence**

**States Representatives**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and  
Reparations Section**

**Other**

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**TRIAL CHAMBER VI** of the International Criminal Court, in the case of *The Prosecutor v. Mahamat Said Abdel Kani*, having regard to Article 82(1)(d) of the Rome Statute (the ‘Statute’), and Rule 155 of the Rules of Procedure and Evidence (the ‘Rules’) issues this ‘Decision on the Defence’s Request for Leave to Appeal the ‘Decision on the Defence’s Request for an Extension of Time to File Motions Pursuant to Rule 134 of the Rules and Submit its Trial Brief’.

## **I. PROCEDURAL HISTORY**

1. On 21 February 2022, the Chamber issued its Decision Setting the Commencement Date of the Trial and Related Deadlines.<sup>1</sup> Therein, the Chamber ordered, *inter alia*, that: (i) motions requiring resolution prior to the commencement of the trial pursuant to rule 134 of the Rules should be filed by 22 July 2022; and (ii) the Defence Trial Brief should be filed by 12 August 2022.<sup>2</sup>

2. On 6 July 2022, the Defence filed a request pursuant to regulation 35 of the Regulations of the Court to extend the time limit for: (i) the filing of motions pursuant to rule 134 of the Rules to 26 August 2022; and (ii) the filing of its Trial Brief to 4 September 2022 (the ‘Request for Extension of Time’).<sup>3</sup>

3. On 15 July 2022, the Chamber issued its ‘Decision on the Defence’s Request for an Extension of Time to File Motions Pursuant to Rule 134 of the Rules and Submit its Trial Brief’, rejecting the Request for Extension of Time (the ‘Impugned Decision’).<sup>4</sup>

4. On 21 July, the Defence filed its ‘Demande d’autorisation d’interjeter appel de la « Decision on the Defence’s Request for an Extension of Time to File Motions Pursuant

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<sup>1</sup> [Decision Setting the Commencement Date of the Trial and Related Deadlines](#), 21 February 2022, ICC-01/14-01/21-243 (the ‘Decision Setting the Commencement Date of the Trial and Related Deadlines’).

<sup>2</sup> [Decision Setting the Commencement Date of the Trial and Related Deadlines](#), p. 13.

<sup>3</sup> [Requête en vertu de la Norme 35 du Règlement de la Cour visant à obtenir la prorogation des délais prévus pour déposer les requêtes portant sur des questions devant être résolues avant le début du procès et pour déposer le mémoire de la Défense](#), 5 July 2022, ICC-01/14-01/21-390.

<sup>4</sup> [Decision on the Defence’s Request for an Extension of Time to File Motions Pursuant to Rule 134 of the Rules and Submit its Trial Brief](#), 15 July 2022, ICC-01/14-01/21-411.

to Rule 134 of the Rules and Submit its Trial Brief » (ICC-01/14-01/21-411).’ (the ‘Request’).<sup>5</sup> Therein, the Defence seeks leave to appeal the Impugned Decision.

## II. ANALYSIS

5. The Chamber observes that the deadline that is the subject of the Request expires tomorrow (22 July 2022). The Chamber finds that it is impossible, and in the current circumstances unnecessary, to receive responses from the Office of the Prosecutor and the Office of Public Counsel for Victims before issuing its decision.

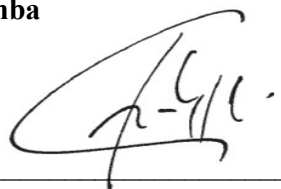
6. The Chamber has considered the Request and determines that it must be rejected. The reasons for this decision will be issued in due course.



**Judge Miatta Maria Samba**  
**Presiding Judge**



**Judge María del Socorro Flores Liera**



**Judge Sergio Gerardo Ugalde Godínez**

Done in both English and French, the English version being authoritative.

Dated 21 July 2022

At The Hague, The Netherlands

<sup>5</sup> Demande d'autorisation d'interjeter appel de la « Decision on the Defence's Request for an Extension of Time to File Motions Pursuant to Rule 134 of the Rules and Submit its Trial Brief » (ICC-01/14-01/21-411), 21 July 2022, ICC-01/14-01/21-419-Conf.